

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1215

Amending Administrative Rule
43.1 concerning the traffic
bail forfeiture schedule.

IT IS ORDERED:

1. Administrative Rule 43.1 is amended to read as follows:

Pursuant to AS 28.05.151, the following vehicle and traffic offenses are amenable to disposition without court appearance upon payment and forfeiture of the bail amounts listed. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the bail amount for that offense listed below. An offense for which a bail forfeiture amount has been established shall be charged on a citation which meets the requirements of District Court Criminal Rule 8(c) and shall not be filed, numbered or processed as a criminal case.

Effective January 1, 1996, as a condition of the disposition without appearance of an offense under AS 28 or a regulation adopted under AS 28, the defendant shall pay a surcharge of \$10 in addition to the bail forfeiture amount listed below. The surcharge applies only to offenses occurring after December 31, 1995. A court may allow a defendant who is unable

Supreme Court Order No. 1215

Effective Date: July 15, 1995

Page 2

to pay the surcharge to perform community work under AS 12.55.055(c) in lieu of the surcharge. The surcharge must be deposited into the general fund in a separate account designated for such surcharges.

. . . .

2. This order is made for the sole reason that the legislature has mandated the amendments.

3. The following note is added at the end of Administrative Rule 43.1:

Note to SCO 1215: The surcharge requirement was added by §§ 2 and 5, ch. 119 SLA 1994, adopting AS 12.55.039 and AS 28.05.151(c). This order is made for the sole reason that the legislature has mandated the amendments.

DATED: May 4, 1995

EFFECTIVE DATE: July 15, 1995

Chief Justice Moore

Justice Rabinowitz

Justice Matthews

Supreme Court Order No. 1215

Effective Date: July 15, 1995

Page 3

Justice Compton

Justice Eastaugh